

REMARKS

Claim 21 has been amended by incorporating the claim 24 subject matter therein. Claim 24 is accordingly canceled as redundant of amended claim 21.

According to amended claim 21, therefore, the outer gantry is specified to be stationary, and the motion along the arc therefore is a motion relative to the outer gantry.

Claim 29, reciting the alternative geometrical path for moving the radiation head, is rewritten to become an independent claim. Therefore, all subject matter of previous claim 21 is included in new claim 29. Furthermore, additional recitations that the head is movable along the beam, that the beam mechanically connects the support locations and that the beam is substantially parallel to the rotation axis are included.

Claim 21 is now clearly distinguished from HUG et al. in view of TOWNSEND et al. and further in view of KELMAN and SWERDLOFF et al. That the outer gantry is stationary relative to the treatment volume insures that a stable device can be constructed. The motion of the radiation head along the arc then also becomes a motion relative to the outer gantry, and the stability and rigidity of the entire motion remains. The tilting of the entire gantry, as taught by KELMAN, cannot be implemented in an arrangement according to HUG et al. if the outer gantry has to be kept stationary with respect to the treatment volume.

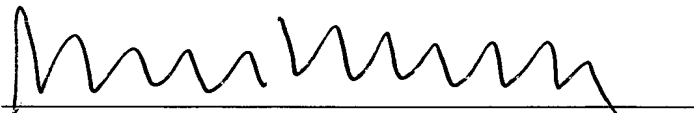
Similarly, claim 29 now states that there has to be a linear beam connecting the support positions of the inner gantry in a direction parallel to the rotation axis. The radiation head is allowed to move along this linear beam. HUG et al. in view of TOWNSEND et al. do not disclose any arrangements that are even remotely similar to such an arrangement.

As the claims now in the case clearly bring out these distinctions with ample particularity, it is believed that they are all patentable, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in black ink, appearing to read 'Robert J. Patch', written over a horizontal line.

Robert J. Patch, Reg. No. 17,355
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

RJP/lrs